L.F. 317-96

1910

G. R. S. IX-5]

Previous references. 1896-7.

~~191~~.

(Annl.)

File No. 41-96.

Serial Nos. 23-27.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 23-27

In ~~Part~~ B for Dec. 1900.

SUBJECT.

Bye-laws of the Bangalore City Municipality.

(Tolls and taxes on vehicles and animals.)

W D 88—GPB—50,000—24-7-16

A copy of the draft Regulation is submitted herewith except as regards S.S relating to Hackney Carriages which are no longer subject to exemption. 8/11/00

Subd to the 2nd Councillor.

In G.O No 3947 — L⇒ 317-96, of 13th Sep 1900, Govt refused to allow any exemption from in the case of Bel. Coumrs from toll on Vehicles & animals owned by them, but accepted the recommn in the case of the Bel Executive Officers and of the City Police.

The Board as per resolution recommends as per resoln of the Board on the 27th Sep last that even this exemption in the case of the executive & Police Officers may be withdrawn "as it is only the Vice-President that urges the case of the Sub-Officers (viz his Subordinates) of the Municipality".

The Board also recommend that as in the Municipality of the C & the Stn all hackney carriages and the animals used for drawing them shd be exempted from the payment of the tax imposed on Vehicles & animals & shd be liable only to pay licence fees under the Hackney carriage Regn as per rates below —

1st Cl — Rs 9 per annum
2nd — Rs 4 — do —
3rd — Rs 2 — do —
Vide Cl: 2 (c)

the object evidently is to avoid taxable taxation.

5/11/00

Note

The draft bye-laws in connection with the newly imposed tolls and taxes on vehicles and animals in the Bangalore City were confirmed in Govt Proc: no 3947 dated 13th Septr 00, L⇒ 317-96 with this modification, that the exemption proposed in the case of vehicles and animals belonging to members of the Municipal Commission was disallowed, on the score of illegality and inexpediency.

The Commission now propose that the exemption herein shown, in favour of the Executive Officers of the Board

and the Police Officers may be withdrawn.

They further suggest that the Hackney carriages in the City be subjected to only the licence fee under the Hackney Carriage Regulation, and exempted from the payment of tax recently imposed on vehicles and animals, as is done in C & M Station.

Submitted for orders as to whether the Board's proposals may be sanctioned (A copy of "Bungalow Municipal Law 1897" granted in the letter obtained from Leg. Branch is putup) Dy 3/11/00

Mad 1/11/00

The new Sec^{n} 35 of the Mad Reg^{n} as substituted by Reg^{n} VIII of 1900 gives power to grant such exemptions. The resol^{n} passed by the Board has now to be confirmed.

14/11/00.

Office

Please enclose a copy of the Reg^{n} before issuing to the 2nd comm^{n}.

A copy of para 1 as printed

Rd 15/11/00
634

Please show the Hon^{ble} Chandrasekharan Aiyar. & take his opinion

Please send to Hon. Chandrasekharan Aiyar

17/11/00.

Rd. 20/11/00

Copy of Hadow's Carriage Rules rec'd with D.O. dated 28th Oct 1900

The power to exempt from taxation of any kind under the Muni. Regns has been reserved under Regn VIII of 1900.

Also, the power to exempt necessarily implies the power to cancel an exemption once granted (Vide Section 21 of the General Clauses Regn, 1899).

Hence, both the proposals of the Muni. Commrs. are unobjectionable in point of legality, and may be sanctioned.

Submitted to 2nd C.

29-11-00

Rd. 29/11/00
735

Yes

Secretary

I/c I/S Branch 1/12/00

Recd & drafted
Mal
3/12/00

Sd S Chan
Orig 1/12/00.

Section — Mul
No 41-96
Final No 23.

Read -

Correspondence ending with letter no.5 dated the 3rd July 1900 from the President of the Municipal Comm. Bangalore City, submitting for confirmation draft bye-laws in connection with the newly imposed taxes and tolls on vehicles and animals, and explaining the reasons which prompted the proposal to exempt therefrom vehicles and animals belonging to members of the Munl.Comm.

RL 34 No:5 Returned with No.5 copy

ORDER THEREON :- No 3947 9/13/9/00
LT-317-96

The Government do not concur in the reasons urged in support of an exemption of the kind proposed in favour of members of the Municipal Comm. The exemption contemplated in section 37 of the Municipal Regns. is one which has reference to vehicles and animals belonging to or employed in the service of "the Municipal Commission," that is to say, the general body of Munl.Commrs. for the City, and not to those belonging to individual members in their private capacity. In the next place, such a relief from a trifling pecuniary burden imposed on them in common with the rest of the community is not a suitable mode of "recognising the status of the Commrs" ; or the con-

trary, it is, if anything, calculated to lower their reputation for disinterested public spirit in the estimation of the citizens whom they represent. Under these circumstances, the Government regret they must withhold their assent to the exemption sought to be embodied in clause (c) of para 2 of draft bye-law no. II.

2. The other exemptions, which, however, are not quite covered by the ~~powers conferred~~ provisions of the Munl. Regns. in this behalf, may, nevertheless, be given effect to in anticipation of the passing of an amending Regulation conferring the necessary powers which is now before the Govt.

3. With these remarks the Govt. are pleased to confirm the draft bye-laws as amended to this order. The President will have them duly published in the manner prescribed ~~as required~~ by the Regns.

14-7-20

Secretary.

To

The President of the Munl.Commn.,
Bangalore City, with enclosures returned.

[Here enter draft bye-laws as revised]

1900-1901

GOVERNMENT OF MYSORE

LOCAL BOARDS BRANCH,
MUNICIPAL

PROCEEDINGS

Dated 13th September 1900

No. 3947
L. F. 317-96

Confirming, with certain remarks, the Draft Bye-Laws in connection with the newly imposed Taxes and Tolls on Vehicles and Animals in the Bangalore City.

SBP—21-9-1900—200

READ—

Correspondence ending with letter No. 5, dated the 3rd July 1900, from the President of the Municipal Commission, Bangalore City, submitting for confirmation Draft Bye-laws in connection with the newly imposed taxes and tolls on vehicles and animals, and explaining the reasons which prompted the proposal to exempt therefrom vehicles and animals belonging to members of the Municipal Commission.

No. 3947—L. F. 317-96, DATED BANGALORE, 13TH SEPTEMBER 1900.

ORDER THEREON—The Government do not concur in the reasons urged in support of an exemption of the kind proposed in favor of members of the Municipal Commission. The exemption contemplated in Section 37 of the Municipal Regulations is one which has reference to vehicles and animals belonging to, or employed in the service of, "the Municipal Commission," that is to say, the general body of Municipal Commissioners for the City (in other words, the Municipal Corporation), and not to those belonging to individual members in their private capacity. In the next place, such a relief from a trifling pecuniary burden imposed on them in common with the rest of the community, is not a suitable mode of "recognising the status of the Commissioners," on the contrary, it is, if anything, calculated to lower their reputation for disinterested public spirit in the estimation of the citizens, whom they represent. Under these circumstances, the Government regret they must withhold their assent to the exemption sought to be embodied in clause (c) of para 2 of Draft Bye-law No. II.

2. The other exemptions which, however, are not quite covered by the provisions of the Municipal Regulations in this behalf, may, nevertheless, be given effect to in anticipation of the passing of an amending regulation conferring the necessary powers, which is now before the Government.

3. With these remarks, the Government are pleased to confirm the Draft Bye-laws as appended to this Order. The President will have them duly published in the manner prescribed by the Regulations.

Secy. to Govt., Gen. & Rev. Depts.

To—The President of the Municipal Commission, Bangalore City, with enclosures returned.

BANGALORE CITY MUNICIPALITY.

Draft Bye-Laws for the purpose of Regulating the Assessment and Collection of Tax on Vehicles and Animals and the Levy and Collection of Tolls on Vehicles and Animals entering the Municipal Limits.

I. Tax on Vehicles and Animals.

1. No person shall, by reason of transfer of ownership, be liable to take out a license for any vehicle and animal which had already been licensed for the half year in which ownership was transferred.

2. The tax shall not be imposed on —

(*a*) Vehicles and animals belonging to the Municipal Commission of the Civil and Military Station.

(*b*) Animals exempt from Municipal tax under Section 25 of the Indian Volunteers Act, 1869.

(*c*) Vehicles and animals belonging to Members of the City Police and Officers of the City Municipality employed on out-door duties, not exceeding one vehicle and one animal used for driving or riding, for each such member or officer.

(*d*) Vehicles and animals licensed or registered by the Commissioners of the Civil and Military Station, Bangalore.

II. Tolls on Vehicles and Animals entering Municipal Limits.

1. No tolls shall be levied on vehicles and animals licensed or registered by the Commissioners of the Civil and Military Station, or on which tolls have been paid in that Station.

Exd.—E.A.T.

1898-99. 3885- L593

9.10.98

From

THE PRESIDENT,

Bangalore City Municipality.

To

THE SECRETARY TO THE

GOVERNMENT OF MYSORE,

General and Revenue Departments,

BANGALORE.

Dated 6"

Despatched 8" October 1900

Received

General No. 54

No.

Enclosure No. 1

Government Proceedings No. 3947-L.F. 317-96 dated 13th September 1900 regretting to give assent to the exemption of taxes and tolls on Vehicles and animals belonging to the Municipal Commissioners

Submitting Board's opinion on the above subject.

Office of the Municipal Commission.

City, Bangalore, 6th October 1900.

No. 54/1

From

THE PRESIDENT,

Municipal Commission

BANGALORE CITY

To

THE SECRETARY TO THE GOVERNMENT OF MYSORE

General and Revenue Departments

BANGALORE

Sir,

With reference to the proceedings No 3747 dated the 13th September 1900 sanctioning with certain alterations the Bye-laws in connection with the Hitherto imposed Taxes and tolls on Vehicles and Animals, I have the honor to state that the Board at the Meeting held on the 27th September 1900, decided on reconsideration, that the proposed Exemption in favour of the Municipal

Executive Officers and of the City Police be also withdrawn. The Board also resolved that the hackney Carriages in the City be dealt with in the same manner as those in the Civil and Military Station of Bangalore. — A Copy of the Board's Resolution is herewith Submitted for information and favour of early orders of Government.

I have the honor to be,
Sir,
Your most obedient Servant

J. W. Blenkinsop

President.

Extract from the Proceedings of the Board dated 27th September 1900.

× × ×

Read Government Proceedings No 3947—L F 317-96, dated 13th September 1900, confirming with certain alterations the Bye-laws in connection with the newly imposed taxes and tolls on vehicles and animals.

Resolution:- Resolved that it be recorded with the observation that the Hackney Carriages in the City be dealt with in the same manner as those in the Civil and Military Station of Bangalore.

Further resolved on the motion of the President, that the proposed exemption in favor of the Executive Officers of the Board and the police officers be also withdrawn as it is only the Vice President that urges the case of the Sub-

Officers

Officers (Viz, his Subordinates) of
the Municipality

/Sd/ B. K Venkatadarandan Iyengar
President

"Copy"
E. Venkatasubbaiah
President

1899

From

THE SECRETARY TO THE
GOVT. OF MYSORE
GENERAL AND REVENUE D[EPARTMENT]

Section — Gen.
File — 41-96
Serial — 25.

To

THE President of the
Mun[l] Commission
Bangalore City

Dated 18/10/00
Despatched 19
Received
General No. 5493
D. F. 317-96
Enclosures &c

In Letter

From the Same
7/19 27-10-00 L740

His letter no. 54 of the 6th ult. on the exemption of vehicles and animals from belonging to the Executive officers of the Board from payment of tolls and taxes recently introduced on the hackney carriages in the City being

dealt with in the same manner as those in the Station Municipality

With reference to the above has the honor to request that the President will be good enough to state what the practice in the C & M Station is which the City Mun[l] Board propose to have, in regard

to Hackney Carriages.

By order

16/10/20

For Secty.

13/10

A S chen 9.11.00
Office note put up
Mat
1/11

1898-99. 4742
30 x 11.

From

THE PRESIDENT, L740

Bangalore City Municipality

Section Gul
No 41-06
26.

To

THE SECRETARY TO THE
GOVERNMENT OF MYSORE,
General and Revenue Departments,
BANGALORE.

Dated 17.10.00

Despatched 18 October 1900

Received

General No 71
No.

Enclosure No.

Government Dachet
No 5493
L.7317-96 dated the
18th October 1900 Calling
for information as
to what the practice
is in the Civil and
Military Station
Municipality in re
the Hackney Carriages

Furnishing the
required information
called for in the
above.

L.T.

8/10/00 L.B.B.

Office of the Municipal Commission,

City, Bangalore, 27 "October 1900

No. 71

From

THE PRESIDENT,

MUNICIPAL COMMISSION,

BANGALORE CITY.

To The Secretary to the
Government of Mysore
General & Revenue Depts
Bangalore.

Sir,

With reference to your docket
No. 5493 / L.7317-96 dated the 18" October
1900 Calling for information as
to what the practice is in the
Civil and Military Station
Municipality in regard to Hack
-ney Carriages, I have the honor
to state that the Hackney Car-
-riages and the animals used
for drawing them in the Civil
and Military Station are,
under Clause 2 of Section 46 of

the Bangalore Municipal Law,
Exempted from the payment of
the tax imposed recently on
Vehicles and animals. Only
license fee under the Hackney
Carriage Regulation is levied
on such carriages as per rates
given in the margin.

* 1st Class Rs 9/- per annum
2d — do — Rs 4/- — do —
3d — do — Rs 2/- — do —

I have the honor to be,
Sir,
Your most obedt. Servant.
Mowbray Thomson
President.

Extract of Para 1 ~~of~~ Regulation VIII of 1900.

" Powor to exempt person, etc, from payment of tax imposed under these Regulations "

" The Municipal Commissioners may, by resolution confirmed by Government, and the Government may, by order, exmpt in whole or in part, from the payment of any tax imposed under these Regulations any person or class of persons or any property or description of property "

14/11/00

Section - Genl
File No - 41-96
Serial No 27.

Read again.

Letter no 52 dated the 6th Octr 1900 from the President of the Municipal Commr. Bangalore City soliciting sanction to the Board resolution to withdraw the exemption from tax on animals and vehicles granted to the Executive Offrs of the Board and to City Police officers in Govt Progs: No 3947-B 317-96 dated the 13th Septr 1900, and to deal with hackney carriages in the City in the same manner in which more recently in the Cantonment Station are dealt with.

Also letter no 71 dated the 27th Octr 00 from the same officer, stating with reference to this office Docket no 5293/317-96 Order of the 18 Octr 00. that hackney

carriages and animals used
for drawing them in the Civil
and Military Station are,
under clause (2) of sec 46 of the Bangalore Mul. Law,
exempted from the payment
of tax ~~imposed~~ recently ~~on~~
imposed, and that only licence
fee under the Hackney Carriage
Regulation is levied on such
carriages as noted in the margin

on vehicles and animal

1st Class.. Rs 9-0-0 per annum
2nd — 0 — 4-0-0 0
3rd — 5 — 2-0-0 0

7770-1 RL 1022-
Orders 7770-1 dy 7/12/00
L.F. 317-96.

Govt are pleased to
sanction the Bd's proposals
contained in the first-paragraph letter
read above.

Issue necessary Govt order
dy 5-12-00
to S. Cabinet Govt-b Pol.
7/12/00

hss
5/12/00.

For Offg Secty.
dy 3/12/00

To

The Presdt Mul Commr, Bangalore City.
Comptroller

1900-1901

GOVERNMENT OF MYSORE

LOCAL BOARDS BRANCH,
MUNICIPAL.

PROCEEDINGS

Dated 7th December 1900

No. 7770-1
L. F. 317-98

Sanctioning the proposal of the Municipal Commission, Bangalore City, to withdraw the exemption from tax on animals and vehicles, granted to the executive officers of the Board and to the City Police officers, and to deal with hackney carriages in the City in the manner in which those in the Civil and Military Station are dealt with.

SBP— 15-12-1900—200

Proceedings of the Government of Mysore, Local Boards Branch, Municipal, dated 7th December 1900.

READ AGAIN—

Letter No. 54, dated the 6th October 1900, from the President of the Municipal Commission, Bangalore City, soliciting sanction to the Board's resolution to withdraw the exemption from tax on animals and vehicles, granted to the executive officers of the Board and to City Police officers in Government Proceedings No. 3947—L. F. 317-96, dated the 13th September 1900, and to deal with hackney carriages in the City in the manner in which those in the Civil and Military Station are dealt with.

Also letter No. 71, dated the 27th October 1900, from the same officer, stating with reference to this office docket No. 5493—L F. 317-96 of the 18th October 1900, that hackney carriages and animals used for drawing them in the Civil and Military Station are, under clause 2 of Section 46 of the Bangalore Municipal Law exempted from the payment of tax recently imposed on vehicles and animals and that only license fee under the Hackney Carriage Regulation is levied on such carriages as noted in the margin.

1st	Class	Rs 9	per annum.
2nd	do	4	do
3rd	do	2	do.

No. 7770-1—L. F. 317-96, DATED BANGALORE, 7TH DECEMBER 1900.

ORDER THEREON— Government are pleased to sanction the Board's proposal contained in the first of the letters read above.

L. ANANTASAMI RAO,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The President, Municipal Commission, Bangalore City.
The Comptroller to the Government of Mysore.

Exd.—C.V.